

FRED VAN VALKENBURG

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Attorneys for the Plaintiff

**MONTANA FOURTH JUDICIAL DISTRICT COURT,
MISSOULA COUNTY**

STATE OF MONTANA,

Plaintiff,

vs.

TERRY D. PARKS,

Defendant.

) Dept. No.: 4

) Cause No.: DC-10-371

) **AMENDED INFORMATION**

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The State of Montana, by and through the Missoula County Attorney's Office, having first obtained leave of the Court, files this information accusing the Defendant, TERRY D. PARKS, of having committed the following offenses:

COUNT ONE

That on or about April 2007 through July 2008 in Missoula County, Montana, the Defendant committed the offense of THEFT, a FELONY, in violation of Mont. Code Ann. § 45-6-301(1)(c).

The facts constituting this offense are as follows:

That at the times and place mentioned above, with the purpose to deprive R.C. of property, the Defendant purposely or knowingly obtained or exerted unauthorized control of R.C.'s property and used, concealed, or abandoned the property knowing that the use, concealment, or abandonment probably would deprive R.C. of his property.

Specifically, the Defendant purposely or knowingly obtained or exerted unauthorized control of R.C.'s property and used, concealed, or abandoned the property knowing that the use, concealment, or abandonment probably would deprive R.C. of his property by taking \$55,000 from R.C., issuing R.C. four "Business Purpose Notes," and failing to pay R.C. back.

Pursuant to Mont. Code Ann. § 45-6-301(8)(b)(i), the offense is punishable by a fine not to exceed \$50,000 and/or be imprisoned in a state prison for a term not to exceed 10 years.

COUNT TWO

That on or about April 2007 through July 2008 in Missoula County, Montana, the Defendant committed the offense of SECURITIES FRAUD, a FELONY, in violation of Mont. Code Ann. ~~§ 45-6-301(1)(b)~~ § 30-10-301(1)(b).

The facts constituting this offense are as follows:

That at the time and place mentioned above, the Defendant, while offering the sale of a security, directly and/or indirectly made untrue statements of a material fact and/or omitted to state a material fact.

Specifically, the Defendant made untrue statements or omitted material facts when he failed to inform R.C. that he was not registered to offer or sell securities in Montana.

Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

COUNT THREE

That on or about April 2007 through July 2008 in Missoula County, Montana, the Defendant committed the offense of SECURITIES FRAUD, a FELONY, in violation of Mont. Code Ann. ~~§ 45-6-301(1)(b)~~ § 30-10-301(1)(b).

The facts constituting this offense are as follows:

That at the time and place mentioned above, the Defendant, while offering the sale of a security, directly and/or indirectly made untrue statements of a material fact and/or omitted to state a material fact.

Specifically, the Defendant made untrue statements or omitted material facts when he failed to inform R.C. that Tower Trust Two had not registered its

securities in the state of Montana, nor had it applied for any type of an exemption from registration.

Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

COUNT FOUR

That on or about April 2007 through July 2008 in Missoula County, Montana, the Defendant committed the offense of SECURITIES FRAUD, a FELONY, in violation of Mont. Code Ann. ~~§ 45-6-301(1)(b)~~ § 30-10-301(1)(b).

The facts constituting this offense are as follows:

That at the time and place mentioned above, the Defendant, while offering the sale of a security, directly and/or indirectly made untrue statements of a material fact and/or omitted to state a material fact.

Specifically, the Defendant made untrue statements or omitted material facts when he made untrue statements or omitted material facts by failing to provide R.C. with any disclosure information regarding his investments in Tower Trust Two "Business Purpose Notes."

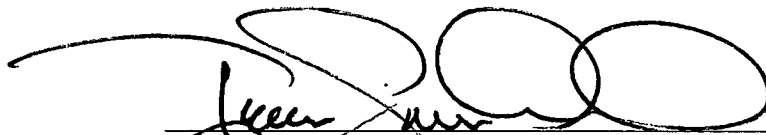
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Pursuant to Mont. Code Ann. § 30-10-306(1), the offense is punishable by a fine not to exceed \$5,000 and/or imprisonment in the state prison for a term not to exceed 10 years.

DATED this 3rd day of August, 2011.



JESSE LASLOVICH
Special Deputy Missoula County Attorney

CERTIFICATE OF SERVICE

I hereby certify the foregoing was served by email, on the 3rd day of
August, 2011, to the following:

Scott Spencer
State of Montana
Office of the Public Defender
610 N. Woody St.
Missoula, MT 59802
scottspencer@mt.gov

